

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>W 5529-001 EK</b>	<div style="display: flex; justify-content: space-between;"> <div><b>FOR FURTHER ACTION</b></div> <div>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</div> </div>	
International application No. <b>PCT/SE 2004/000755</b>	International filing date ( <i>day/month/year</i> ) <b>14 May 2004</b>	(Earliest) Priority Date ( <i>day/month/year</i> ) <b>14 May 2003</b>
Applicant <b>SpectraCure AB et al</b>		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 5 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☒ Certain claims were found unsearchable (see Box No. II)

3. ☐ Unity of invention is lacking (see Box No. III)

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. 4

☒ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International application No.  
**PCT/SE04/000755**

## Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: **28-29**  
because they relate to subject matter not required to be searched by this Authority, namely:  
**see next page**
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid; specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.  
☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

International application No.  
**PCT/SE04/000755**

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

Claims 28-29 relate to a method of treatment of the human body by surgery or by therapy/ a diagnostic method practised on the human or animal body/Rule 39.1(iv). Nevertheless a search has been executed for these claims. The search has been based on the alleged effects of the compounds/product/device.

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/SE 2004/000755

## A. CLASSIFICATION OF SUBJECT MATTER

IPC7: A61N 5/01, A61B 18/22

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC7: A61B, A61N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

SE,DK,FI,NO classes as above

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

EPO-INTERNAL, WPI DATA, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0523417 A1 (ISOTOPEN-TECHNIK DR. SAUERWEIN GMBH), 20 January 1993 (20.01.1993), column 2, line 40 - line 45; column 3, line 49 - line 52; column 4, line 51 - column 5, line 21, figures 1-2 --	1-29
A	EP 0280397 A2 (ADAIR. EDWIN L.), 31 August 1988 (31.08.1988), column 10, line 1 - line 25; column 11, line 7 - line 18, figure 8, abstract --	1,25-27
P,X	WO 03041575 A1 (SVANBERG, SUNE), 22 May 2003 (22.05.2003), see whole document --	1-29

☒ Further documents are listed in the continuation of Box C.☒ See patent family annex.

\* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier application or patent but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

19 August 2004

Date of mailing of the international search report

23-08-2004

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Swedish Patent Office  
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## INTERNATIONAL SEARCH REPORT

International application No.

PCT/SE 2004/000755

## C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,X	EP 1314451 A1 (NUCLETRON B.V.), 28 May 2003 (28.05.2003), see whole document  --	1-29
A	WO 02074339 A1 (UNIVERSITY OF UTAH RESEARCH FOUNDATION), 26 Sept 2002 (26.09.2002), page 8, line 18 - line 31  --	1-29
A	PATENT ABSTRACTS OF JAPAN Vol. 017 No. 197 (P-1523) 16 April 1993 (1993-04-16) & JP 4343317 A (FURUKAWA ELECTRIC CO LTD), 30 November 1992 (1992-11-30) see whole document  -- -----	1-29

**INTERNATIONAL SEARCH REPORT**  
Information on patent family members

03/07/2004

International application No.  
PCT/SE 2004/000755

EP	0523417	A1	20/01/1993	DE	4123501 A	21/01/1993
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EP	0280397	A2	31/08/1988	CA	1287541 A,C	13/08/1991
				CA	1297750 A,C	24/03/1992
				DE	3875134 A,T	12/11/1992
				DE	3881717 A,T	22/07/1993
				EP	0280384 A,B	31/08/1988
				JP	1759183 C	20/05/1993
				JP	1760013 C	20/05/1993
				JP	4042930 B	15/07/1992
				JP	4044537 B	22/07/1992
				JP	63272320 A	09/11/1988
				JP	63288127 A	25/11/1988
				US	4736733 A	12/04/1988
				US	4782819 A	08/11/1988
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WO	03041575	A1	22/05/2003	SE	522697 C	02/03/2004
				SE	0103771 A	15/05/2003
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EP	1314451	A1	28/05/2003	CA	2412082 A	23/05/2003
				JP	2003205043 A	22/07/2003
				US	2003128808 A	10/07/2003
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WO	02074339	A1	26/09/2002	CA	2441107 A	26/09/2002
				CA	2441146 A	26/09/2002
				EP	1370291 A	17/12/2003
				EP	1377220 A	07/01/2004
				US	2002192683 A	19/12/2002
				WO	02074171 A	26/09/2002
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